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Attorneys for Defendants
JPMorgan Chase & Co., and
Chase Manhattan Bank USA, N.A.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JO ANNA L. PILLITTERI, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE & CO., and CHASE
MANHATTAN BANK USA, N.A.,

Defendants.

No. 05 Civ. 1164 (GEL)

**DEFENDANTS' NOTICE OF MOTION
TO COMPEL ARBITRATION AND TO
STAY PROCEEDINGS**

(Electronically Filed)

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Greg Lee, the accompanying memorandum of law, and all prior proceedings had herein, defendants JPMorgan Chase & Co. and Chase Manhattan Bank USA, N.A. (collectively, "Chase"), by their undersigned attorneys, Morrison & Foerster LLP, 1290 Avenue of the Americas, New York, New York 10104, hereby move the Court, before the Honorable Gerard E. Lynch, United States District Judge, at the United States Courthouse for the Southern District of New York, 40 Centre Street, New York, New York 10007-1581, for an order (1) compelling plaintiff to honor the terms of her cardmember agreement with Chase and submit her individual claims to arbitration,

pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 3-4, and (2) staying this action against Chase, including discovery, pending resolution of the arbitration, pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 3-4.

Dated: February 9, 2005

MORRISON & FOERSTER LLP

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